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California Regional Water Quality Control Board
Central Valley Region

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ORDER NO. R5-2005-XXX
NPDES NO. CA0081795

The following Discharger is authorized to discharge in accordance with the conditions set forth in this Order:

Discharger	**United States Department of the Interior, National Park Service, Yosemite National Park**
Name of Facility	**Wawona Wastewater Treatment Facility (WWTF)**
Facility Address	**4004 Chilnualna Falls Road**
	Wawona, CA 95389
	Mariposa County

The Discharger is authorized to discharge from the following discharge points as set forth below:

Discharge Point	Effluent Description	Discharge Point Latitude	Discharge Point Longitude	Receiving Water
001	**Disinfected tertiary municipal wastewater**	**37°, 32', 30" N**	**119°, 39', 19" W**	**South Fork Merced River**
002	**Disinfected tertiary municipal wastewater**	**37°, 32', 30" N**	**119°, 39', 00" W**	**Wawona Golf Course/Groundwater**

This Order was adopted by the Regional Board on:	**20 October 2005**
This Order shall become effective on:	**20 October 2005**
This Order shall expire on:	**20 October 2010**
The U.S. Environmental Protection Agency (USEPA) and the Regional Board have classified this discharge as a minor discharge.	
The Discharger shall file a Report of Waste Discharge in accordance with Title 23, California Code of Regulations, not later than 180 days in advance of the Order expiration date as application for issuance of new waste discharge requirements.	

IT IS HEREBY ORDERED, that Order No. 99-137 is rescinded upon the effective date of this Order except for enforcement purposes, and, in order to meet the provisions contained in Division 7 of the CWC and regulations adopted thereunder, and the provisions of the federal CWA, and regulations and guidelines adopted thereunder, the Discharger shall comply with the requirements herein.

I, Thomas R. Pinkos, Executive Officer, do hereby certify the following is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Central Valley Region, on **20 October 2005**.

THOMAS R. PINKOS, Executive Officer

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
REGION 5, CENTRAL VALLEY REGION

ORDER NO. R5-2005-XXX
NPDES NO. CA0081795

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I. FACILITY INFORMATION

The following Discharger is authorized to discharge in accordance with the conditions set forth in this Order:

Discharger	**United States Department of the Interior, National Park Service, Yosemite National Park**
Name of Facility	**Wawona Wastewater Treatment Facility (WWTF)**
Facility Address	**4004 Chilnualna Falls Road**
	Wawona, CA 95389
	Mariposa County
Facility Contact, Title, and Phone	**Paul J. Laymon, (209) 379-1077**
Mailing Address	**Same**
Type of Facility	**Municipal Wastewater Treatment Plant**
Facility Design Flow	**0.105 million gallons per day (mgd)**

II. FINDINGS

The California Regional Water Quality Control Board, Central Valley Region (hereinafter Regional Board), finds:

A. **Background.** United States Department of the Interior, National Park Service, Yosemite National Park (hereinafter "Discharger"), is currently discharging under Waste Discharge Requirements Order No. 99-137, National Pollutant Discharge Elimination System (NPDES) Permit No. CA0081795. The Discharger submitted a Report of Waste Discharge, dated 8 September 2004 and applied for a NPDES permit renewal to discharge up to 0.288 million gallons per day (mgd) of treated wastewater from the Wawona Wastewater Treatment Facility (WWTF). The application was deemed complete on 8 October 2004.

B. **Facility Description.** The Discharger owns and operates the Wawona WWTF. The WWTF is a Publicly Owned Treatment Facility or POTW within the meaning of the Federal Clean Water Act and implementing regulations. The WWTF consists of an equalization tank, activated sludge treatment system, coagulant and polymer injections, rapid mixing, flocculation, final sedimentation, sand filtration, alum injection to remove phosphorous, and chlorination/dechlorination. Effluent is chlorinated and pH balanced before it is pumped to two aboveground storage tanks providing a total capacity of five million gallons and additional chlorine contact time. Treated wastewater is intermittently discharged from Discharge 001 to the South Fork of the Merced River, a water of the United States, within the South Fork Merced Hydrologic Area (537.40). In addition, treated wastewater is blended with river water in the storage tanks and used to irrigate the Wawona Golf Course (Discharge 002, see table on page 1 of this Order). Attachment B provides a topographic map of the area around the WWTF. Attachment C provides a flow schematic of the WWTF.

C. **Legal Authorities.** This Order is issued pursuant to Section 402 of the Federal Clean Water Act (CWA) and implementing regulations adopted by the U.S. Environmental Protection Agency (USEPA) and Chapter 5.5, Division 7 of the California Water Code (CWC). It shall serve as a NPDES permit for point source discharges from this facility to surface waters. This Order also serves as Waste Discharge Requirements pursuant to Article 4, Chapter 4 of the CWC for discharges that are not subject to regulation under CWA Section 402.

D. **Background and Rationale for Requirements**. The Regional Board developed the requirements in this Order based on information submitted as part of the application, through monitoring and reporting programs, and through special studies. Attachments A through H contain background information and

detailed rationale for Order requirements and are hereby incorporated into this Order and, thus, constitute part of the Findings for this Order.

E. **California Environmental Quality Act (CEQA):**

1. The action to adopt an NPDES permit is exempt from the provisions of the California Environmental Quality Act (Public Resources Code Section 21100, et seq.) in accordance with Section 13389 of the CWC.
2. The action to update waste discharge requirements for the existing land discharge (Discharge 002) is exempt from the provisions of CEQA, in accordance with Title 14, CCR, Section 15301 (existing facility).

F. **Technology-based Effluent Limitations.** The Code of Federal Regulations (CFR) at 40 CFR §122.44(a) requires that permits include applicable technology-based limitations and standards. This Order includes technology-based effluent limitations based on tertiary treatment or equivalent requirements that meet both the technology-based secondary treatment standards for POTWs and protect the beneficial uses of the receiving waters. A detailed discussion of the technology-based effluent limitations development is included in the Fact Sheet (Attachment F).

G. **Water Quality-based Effluent Limitations.** Section 122.44(d) of 40 CFR requires that permits include water quality-based effluent limitations (WQBELs) to attain and maintain applicable numeric and narrative water quality criteria to protect the beneficial uses of the receiving water. Where numeric water quality objectives have not been established, 40 CFR §122.44(d) specifies that WQBELs may be established using USEPA criteria guidance under CWA Section 304(a), proposed State criteria or a State policy interpreting narrative criteria supplemented with other relevant information, or an indicator parameter.

H. **Water Quality Control Plans.** The Regional Board adopted a Water Quality Control Plan for the Sacramento and San Joaquin River Basins, Fourth Edition (hereinafter Basin Plan) that designates beneficial uses, establishes water quality objectives, and contains implementation programs and policies to achieve those objectives for all waters addressed through the plan. In addition, State Water Resources Control Board (State Board) Resolution No. 88-63 requires that, with certain exceptions, the Regional Board assign the municipal and domestic supply use to water bodies that do not have beneficial uses listed in the Basin Plan. Beneficial uses applicable to the sources of the Merced River, including the South Fork, are as follows:

Discharge Point	Receiving Water Name	Beneficial Use(s)
001	South Fork of the Merced River	Existing: Agricultural supply (AGR); hydropower generation (POW); water contact recreation (REC-1); non-contact water recreation (REC-2); warm freshwater habitat (WARM); cold freshwater habitat (COLD); wildlife habitat (WILD). Potential: Municipal and domestic water supply (MUN)
002	Groundwater (Wawona Golf Course Discharge)	MUN, AGR, industrial service supply (IND), industrial process supply (PRO).

Requirements of this Order specifically implement the applicable Water Quality Control Plans.

I. **National Toxics Rule (NTR) and California Toxics Rule (CTR).** USEPA adopted the NTR on December 22, 1992, which was amended on May 4, 1995 and November 9, 1999, and the CTR on May 18, 2000, which was amended on February 13, 2001. These rules include water quality criteria for priority pollutants and are applicable to this discharge.

J. **State Implementation Policy.** On March 2, 2000, State Board adopted the *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California* (State Implementation Policy or SIP*).* The SIP was effective on April 28, 2000, with respect to the priority pollutant criteria promulgated for California by the USEPA through the NTR and to the priority pollutant objectives established by the Regional Boards in their basin plans, with the exception of the provision on alternate test procedures for individual discharges that have been approved by USEPA Regional Administrator. The alternate test procedures provision was effective on May 22, 2000. The SIP became effective on May 18, 2000. The SIP was amended by State Board on February 24, 2005. The SIP includes procedures for determining the need for and calculating WQBELs and requires dischargers to submit data sufficient to do so.

K. **Compliance Schedules and Interim Requirements.** Section 2.1 of the SIP provides that, based on a discharger's request and demonstration that it is infeasible for an existing discharger to achieve immediate compliance with an effluent limitation derived from a CTR criterion, compliance schedules may be allowed in an NPDES permit. Unless an exception has been granted under Section 5.3 of the SIP, a compliance schedule may not exceed 5 years from the date that the permit is issued or reissued nor may it extend beyond 10 years from the effective date of the SIP (or May 18, 2010) to establish and comply with CTR criterion-based effluent limitations. Where a compliance schedule for a final effluent limitation exceeds 1 year, the permit must include interim numeric limitations for that constituent or parameter. Where allowed by the Basin Plan, compliance schedules and interim effluent limitations or discharge specifications may also be granted to allow time to implement a new or revised water quality objective. This Order does include compliance schedules and interim effluent limitations. A detailed discussion of the basis for the compliance schedules and interim effluent limitations is included in the Fact Sheet, Attachment F.

L. **Antidegradation Policy.** Section 131.12 of 40 CFR requires that State water quality standards include an anti-degradation policy consistent with the federal policy. The State Board established California's anti-degradation policy in State Board Resolution 68-16, which incorporates the requirements of the federal anti-degradation policy. Resolution 68-16 requires that existing quality of waters be maintained unless degradation is justified based on specific findings. As discussed in detail in the Fact Sheet, Attachment F, the permitted discharge is consistent with the anti-degradation provision of 40 CFR § 131.12 and State Board Resolution 68-16.

M. **Anti-Backsliding Requirements.** Sections 402(o)(2) and 303(d)(4) of the CWA and federal regulations at 40 CFR § 122.44(l) prohibit backsliding in NPDES permits. These anti-backsliding provisions require effluent limitations in a reissued permit to be as stringent as those in the previous permit, with some exceptions where limitations may be relaxed. All effluent limitations in this Order are at least as stringent as the effluent limitations in the previous Order.

N. **Monitoring and Reporting.** Section 122.48 of 40 CFR requires all NPDES permits to specify requirements for recording and reporting monitoring results. Sections 13267 and 13383 of the CWC authorize the Regional Boards to require technical and monitoring reports. The Monitoring and Reporting Program establishes monitoring and reporting requirements to implement federal and State requirements. This Monitoring and Reporting Program is provided in Attachment E.

O. **Standard and Special Provisions.** Standard Provisions, which in accordance with 40 CFR §§122.41and 122.42, apply to all NPDES discharges and must be included in every NPDES permit, are provided in Attachment D. The Regional Board has also included in this Order special provisions applicable to the Discharger. A detailed rationale for the special provisions contained in this Order is provided in the attached Fact Sheet (Attachment F).

P. **Notification of Interested Parties.** The Regional Board has notified the discharger and interested agencies and persons of its intent to prescribe Waste Discharge Requirements for the discharge and has provided them with an opportunity to submit their written comments and recommendations. Details of notification are provided in the Fact Sheet (Attachment F) of this Order.

Q. **Consideration of Public Comment.** The Regional Board, in a public meeting, heard and considered all comments pertaining to the discharge. Details of the Public Hearing are provided in the Fact Sheet (Attachment F) of this Order.

R. **Applicable Plans, Policies, and Regulations.** On March 30, 2000, USEPA revised its regulation that specifies when new and revised State and Tribal water quality standards (WQS) become effective for CWA purposes (40 CFR 131.21, 65 FR 24641, April 27, 2000). Under USEPA's new regulation (also known as the Alaska rule), new and revised standards submitted to USEPA after May 30, 2000, must be approved before being used for CWA purposes. The final rule also provides that standards already in effect and submitted to USEPA by May 30, 2000, may be used for CWA purposes, whether or not approved by USEPA.

S. **Finding for No More Stringent than Federal Law**. This Order contains restrictions on individual pollutants that are no more stringent than required by the federal Clean Water Act. Individual pollutant restrictions consist of technology-based restrictions and water quality-based effluent limitations. The technology-based effluent limitations consist of restrictions on flow, BOD, TSS, settleable solids, total coliform, turbidity, filtration rate, and total residual chlorine. Restrictions on flow, BOD, TSS, settleable solids, total coliform, turbidity, filtration rate, and total residual chlorine are no more stringent than required by the Clean Water Act. Water quality-based effluent limitations have been scientifically derived to implement water quality objectives that protect beneficial uses. Both the beneficial uses and the water quality objectives have been approved pursuant to federal law and are the applicable federal water quality standards. To the extent that toxic pollutant water quality-based effluent limitations were derived from the California Toxics Rule, the California Toxics Rule is the applicable standard pursuant to 40 CFR 131.38. The scientific procedures for calculating the individual water quality-based effluent limitations are based on the CTR-SIP, which was approved by USEPA on May 1, 2001. Beneficial uses and water quality objectives contained in the Basin Plan which were used in the development of water quality-based effluent limitations were approved under state law and submitted to and approved by USEPA prior to May 30, 2000. Any water quality objectives and beneficial uses submitted to USEPA prior to May 30, 2000, but not approved by USEPA before that date, are nonetheless “applicable water quality standards for purposes of the [Clean Water] Act” pursuant to 40 CFR 131.21(c)(1). Collectively, this Order’s restrictions on individual pollutants are no more stringent than required to implement the technology-based requirements of the Clean Water Act and the applicable water quality standards for purposes of the Clean Water Act.

III. DISCHARGE PROHIBITIONS

A. Discharge of wastewater at a location or in a manner different from that described in the Findings is prohibited.

B. The by-pass or overflow of wastes is prohibited, except as allowed by Standard Provision I.A.7 of Attachment D, Federal Standard Provisions.

C. Discharge or treatment that creates a nuisance as defined in Section 13050 of the California Water Code is prohibited.

D. Discharge to the South Fork of the Merced River is prohibited unless the ratio of river flow to wastewater discharge is 150:1 or greater.

E. Discharge to the South Fork of the Merced River is prohibited during the six months between June 1 and November 30.

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IV. EFFLUENT LIMITATIONS AND DISCHARGE SPECIFICATIONS

A. Effluent Limitations – Discharge Point 001

1. Final Effluent Limitations

a. The discharge of disinfected tertiary effluent shall maintain compliance with the following limitations at Discharge Point 001, with compliance measured at Monitoring Locations M-001 and M-002 as described in the attached Monitoring and Reporting Program (Attachment E):

Parameter	Units	Effluent Limitations				
		Average Monthly	Average Weekly	Maximum Daily	Instantaneous Minimum	Instantaneous Maximum
Flow	mgd	0.105[1]	--	0.288[2]	--	--
BOD 5-day @ 20°C	mg/L	10	15	20		
	lbs/day	8.7	13	17	--	--
	%removal	90	--	--	--	--
Total Suspended Solids	mg/L	10	15	20	--	--
	lbs/day	8.7	13	17	--	--
	%removal	90	--	--	--	--
Settleable Solids	ml/L	0.1	--	0.1	--	--
Total Phosphorous	mg/L	0.5	0.75	1	--	--
	lbs/day	0.44	0.66	0.87	--	--
pH	standard units	--	--	--	6.5	8.5
Total Copper	µg/L	0.80	--	1.6	--	--
	lbs/day	7.0×10^{-4}	--	1.4×10^{-3}	--	--

1. Monthly influent flow, as measured by the influent flow meter.
2. Compliance shall be determined at Monitoring Location M-001 for Maximum Daily Flow.

b. The median concentration of total coliform bacteria measured in the disinfected effluent shall not exceed an MPN of 2.2 per 100 milliliters utilizing the bacteriological results of the last seven days for which analyses have been completed (7-sample median). The number of total coliform bacteria shall not exceed an MPN of 23 per 100 milliliters in more than one sample in any 30 day period. No sample shall exceed an MPN of 240 total coliform bacteria per 100 milliliters.

c. The turbidity in the effluent from the filtration unit and in the influent to the chlorination unit shall not exceed a daily average of 2 turbidity units and shall not exceed 5 turbidity units more than 5 percent of the time during any 24-hour period, and shall not exceed 10 turbidity units at any time.

d. The maximum filtration rate shall not exceed 5 gpm/ft^2.

e. The effluent total residual chlorine at Monitoring Location M-001 shall not exceed a 4-day average concentration of 0.01 mg/L, and shall not exceed a 1-hour average concentration of 0.02 mg/L.

f. Survival of aquatic organisms in 96-hour bioassays of undiluted waste at Monitoring Location M-001 shall be no less than:

Minimum for any one bioassay -70%
Median for any three or more consecutive bioassays - - - - 90%

2. Interim Effluent Limitations

a. During the period beginning **20 October 2005** and ending in the shortest time possible as approved by the Executive Officer, but in no case later than **20 October 2010**, the discharge of disinfected tertiary effluent shall maintain compliance with the following limitations at Discharge Point 001, with compliance measured at Monitoring Location M-002 as described in the attached Monitoring and Reporting Program (Attachment E). These interim effluent limitations shall apply in lieu of the corresponding final effluent limitations specified for the same parameters during the time period indicated above.

Constituent	Units	Interim Effluent Limitations				
		Average Monthly	Average Weekly	Maximum Daily	Instantaneous Minimum	Instantaneous Maximum
Total Copper[1]	µg/L	--	--	488	--	--
	lbs/day	--	--	0.43	--	--

1. These limitations apply only if the Discharger complies with Provision VI.C.4 Task (a), and the Executive Officer establishes an alternate deadline for compliance as setforth therein. Otherwise, Final Effluent Limitations IV.A.1.a for total copper shall govern.

B. Land Discharge Specifications – Not Applicable

C. Reclamation Specifications – Discharge Point 002

1. Beginning **20 October 2005**, the discharge of disinfected tertiary reclaimed water shall maintain compliance with the following limitations at Discharge Point 002, with compliance measured at Monitoring Location M-002 as described in the attached Monitoring and Reporting Program (Attachment E):

Parameter	Units	Reclamation Specifications				
		Average Monthly	Average Weekly	Maximum Daily	Instantaneous Minimum	Instantaneous Maximum
Flow	mgd	0.105[1]	--	--	--	--
BOD 5-day @ 20°C	mg/L	10	15	20		
	lbs/day	8.7	13	17	--	--
	%removal	90	--	--	--	--
Total Suspended Solids	mg/L	10	15	20	--	--
	lbs/day	8.7	13	17	--	--
	%removal	90	--	--	--	--
Settleable Solids	ml/L	0.1	--	0.1	--	--
Total Phosphorous	mg/L	0.5	0.75	1	--	--
	lbs/day	0.44	0.66	0.87	--	--
pH	standard units	--	--	--	6.5	8.5

1. Monthly average dry weather influent flow, as measured by the influent flow meter.

2. The median concentration of total coliform bacteria measured in the disinfected effluent shall not exceed an MPN of 2.2 per 100 milliliters utilizing the bacteriological results of the last seven days for which analyses have been completed (7-day median). The number of total coliform bacteria shall not exceed an MPN of 23 per 100 milliliters in more than one sample in any 30 day period. No sample shall exceed an MPN of 240 total coliform bacteria per 100 milliliters.

3. The turbidity in the effluent from the filtration unit and in the influent to the chlorination unit shall not exceed a daily average of 2 turbidity units and shall not exceed 5 turbidity units more than 5 percent of the time during any 24-hour period, and shall not exceed 10 turbidity units at any time.

4. The maximum filtration rate shall not exceed 5 gpm/ft^2.

5. Use of recycled water shall comply with all the terms and conditions of the most current Title 22 regulations.

V. RECEIVING WATER LIMITATIONS

A. Surface Water Limitations

Receiving water limitations are based upon water quality objectives contained in the Basin Plan. As such, they are a required part of this Order. The discharge shall not cause the following in the South Fork of the Merced River:

1. Bacteria: The fecal coliform concentration based on a minimum of not less than five samples for any 30-day period shall not exceed a geometric mean of 200/100 ml, nor shall more than ten percent of the total number of samples taken during any 30-day period exceed 400/100 ml.

2. Dissolved Oxygen: Concentrations of dissolved oxygen to fall below 7.0 mg/L. The monthly median of the mean daily dissolved oxygen concentration to fall below 85 percent of saturation in the main water mass, or the 95th percentile concentration to fall below 75 percent of saturation.

3. Oil and Grease: Oils, greases, waxes, or other materials in concentrations that cause nuisance, result in a visible film or coating on the water surface or on objects in the water, or otherwise adversely affect beneficial uses.

4. Color: Discoloration that causes nuisance or adversely affects beneficial uses.

5. pH: The ambient pH to be depressed below 6.5, nor raised above 8.5, nor changes in normal ambient pH levels to be exceeded by more than 0.5 units.

6. Temperature: The natural receiving water temperature to increase more than 5°F.

7. Setteable Matter: Substances in concentrations that result in the deposition of material that causes nuisance or adversely affects beneficial uses.

8. Radioactivity: Radionuclides to be present in concentrations that are harmful to human, plant, animal or aquatic life nor that result in the accumulation of radionuclides in the food web to an extent that presents a hazard to human, plant, animal or aquatic life. Concentrations of radionuclides in excess of the maximum contaminant levels (MCLs) specified in Table 4 (MCL Radioactivity) of Section 64443 of Title 22 of the California Code of Regulations.

9. Toxicity: Toxic substances in concentrations that produce detrimental physiological responses in human, plant, animal, or aquatic life. This applies regardless of whether the toxicity is caused by a single substance or the interactive effect of multiple substances.

10. Biostimulatory Substances: Biostimulatory substances which promote aquatic growths in concentrations that cause nuisance or adversely affect beneficial uses.

11. Floating Material: Floating material in amounts that cause nuisance or adversely affect beneficial uses.

12. Sediment: Suspended sediment load and suspended sediment discharge rate alteration in such a manner to cause nuisance or adversely affect beneficial uses.

13. Suspended Material: Suspended material in concentrations that cause nuisance or adversely affect beneficial uses.

14. Taste and Order: Taste- or odor-producing substances in concentrations that cause nuisance, adversely affect beneficial uses, or impart undesirable tastes or odors to fish flesh or other edible products of aquatic origin or to domestic or municipal water supplies.

15. Turbidity: Changes in turbidity that cause nuisance or adversely affect beneficial uses. Turbidity attributable to controllable water quality factors to exceed the following:

    a. More than 1 Nephelometric Turbidity Units (NTUs) where natural turbidity is between 0 and 5 NTUs.

    b. More than 20 percent where natural turbidity is between 5 and 50 NTUs.

    c. More than 10 NTUs where natural turbidity is between 50 and 100 NTUs.

    d. More than 10 percent where natural turbidity is greater than 100 NTUs.

16. Pesticides:

    a. Pesticides in individual or combined concentrations that adversely affect beneficial uses.

    b. Pesticide concentrations in bottom sediments or aquatic life that adversely affect beneficial uses.

    c. Total identifiable persistent chlorinated hydrocarbon pesticides in concentrations detectable within the accuracy of analytical methods approved by the Environmental Protection Agency or the Executive Officer.

    d. Concentrations exceeding those allowable by applicable antidegradation policies (see State Water Resources Control Board Resolution No. 68-16 and 40 C.F.R. Section 131.12.)

    e. Concentrations exceeding the lowest levels technically and economically achievable.

    f. Concentrations exceeding the Maximum Contaminant Levels set forth in California Code of Regulations, Title 22, Division 4, Chapter 15.

    g. Concentrations of thiobencarb in excess of 1.0 mg/L

B. Groundwater Limitations

Neither the WWTF nor the recycling of wastewater shall cause underlying groundwater to contain waste constituents in concentrations greater than background water quality unaffected by waste sources.

VI. PROVISIONS

A. Standard Provisions

1. **Federal Standard Provisions.** The Discharger shall comply with all Standard Provisions included in Attachment D of this Order.

   In accordance with 40 CFR Section 123.25(a)(12), Regional Board enforcement of this permit will occur under the provisions established in Sections 13385, 13386, and 13387 of the CWC, as they are as stringent or more stringent than those in 40 CFR Sections 122.41(a)(2), 122.41(a)(3), 122.41(j)(5), and 122.41(k)(2).

2. **Regional Board Standard Provisions.** The Discharger shall comply with the following provisions:

   a. If the Discharger's WWTF is publicly owned or subject to regulation by the California Public Utilities Commission, it shall be supervised and operated by persons possessing certificates of appropriate grade according to Title 23, California Code of Regulations (CCR), Division 3, Chapter 14.

b. After notice and opportunity for a hearing, this Order may be terminated or modified for cause, including, but not limited to:

   i. violation of any term or condition contained in this Order;
   ii. obtaining this Order by misrepresentation or by failing to disclose fully all relevant facts;
   iii. a change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge; and
   iv. a material change in the character, location, or volume of discharge.

   The causes for modification include:

   i. New regulations. New regulations have been promulgated under Section 405(d) of the Clean Water Act, or the standards or regulations on which the permit was based have been changed by promulgation of amended standards or regulations or by judicial decision after the permit was issued.
   ii. Land application plans. When required by a permit condition to incorporate a land application plan for beneficial reuse of sewage sludge, to revise an existing land application plan, or to add a land application plan.
   iii. Change in sludge use or disposal practice. Under 40 Code of Federal Regulations (CFR) 122.62(a)(1), a change in the Discharger's sludge use or disposal practice is a cause for modification of the permit. It is cause for revocation and reissuance if the Discharger requests or agrees.

   The Regional Board may review and revise this Order at any time upon application of any affected person or the Regional Board's own motion.

c. If a toxic effluent standard or prohibition (including any scheduled compliance specified in such effluent standard or prohibition) is established under Section 307(a) of the CWA, or amendments thereto, for a toxic pollutant that is present in the discharge authorized herein, and such standard or prohibition is more stringent than any limitation upon such pollutant in this Order, the Regional Board will revise or modify this Order in accordance with such toxic effluent standard or prohibition.

   The Discharger shall comply with effluent standards and prohibitions within the time provided in the regulations that establish those standards or prohibitions, even if this Order has not yet been modified.

d. This Order shall be modified, or alternately revoked and reissued, to comply with any applicable effluent standard or limitation issued or approved under Sections 301(b)(2)(C) and (D), 04(b)(2), and 307(a)(2) of the CWA, if the effluent standard or limitation so issued or approved:

   i. contains different conditions or is otherwise more stringent than any effluent limitation in the Order; or
   ii. controls any pollutant limited in the Order.

   The Order, as modified or reissued under this paragraph, shall also contain any other requirements of the CWA then applicable.

e. The provisions of this Order are severable. If any provision of this Order is found invalid, the remainder of this Order shall not be affected.

f. The Discharger shall ensure compliance with any existing or future pretreatment standard promulgated by USEPA under Section 307 of the CWA, or amendment thereto, for any discharge to the municipal system.

g. The discharge of any radiological, chemical or biological warfare agent or high-level, radiological waste is prohibited.

h. A copy of this Order shall be maintained at the WWTF and be available at all times to operating personnel. Key operating personnel shall be familiar with its content.

i. Neither the treatment nor the discharge shall create a condition of nuisance or pollution as defined by the CWC, Section 13050.

j. Safeguard to electric power failure:

i. The Discharger shall provide safeguards to assure that, should there be reduction, loss, failure of electric power, the discharge shall comply with the terms and conditions of this Order.

ii. Upon written request by the Regional Board the Discharger shall submit a written description of safeguards. Such safeguards may include alternate power sources, standby generators, retention capacity, operating procedures, or other means. A description of the safeguards provided shall include an analysis of the frequency, duration, and impact of power failures experienced over the past five years on effluent quality and on the capability of the Discharger to comply with the terms and conditions of the Order. The adequacy of the safeguards is subject to the approval of the Regional Board.

iii. Should the treatment works not include safeguards against reduction, loss, or failure of electric power, or should the Regional Board not approve the existing safeguards, the Discharger shall, within ninety days of having been advised in writing by the Regional Board that the existing safeguards are inadequate, provide to the Regional Board and USEPA a schedule of compliance for providing safeguards such that in the event of reduction, loss, or failure of electric power, the Discharger shall comply with the terms and conditions of this Order. The schedule of compliance shall, upon approval of the Regional Board, become a condition of this Order.

k. The Discharger, upon written request of the Regional Board, shall file with the Regional Board a technical report on its preventive (failsafe) and contingency (cleanup) plans for controlling accidental discharges, and for minimizing the effect of such events. This report may be combined with that required under VI.A.2.j.

The technical report shall:

i. Identify the possible sources of spills, leaks, untreated waste by-pass, and contaminated drainage. Loading and storage areas, power outage, waste treatment unit outage, and failure of process equipment, tanks and pipes should be considered.

ii. Evaluate the effectiveness of present facilities and procedures and state when they became operational.

iii. Predict the effectiveness of the proposed facilities and procedures and provide an implementation schedule containing interim and final dates when they will be constructed, implemented, or operational.

The Regional Board, after review of the technical report, may establish conditions, which it deems necessary to control accidental discharges and to minimize the effects of such events. Such conditions shall be incorporated as part of this Order, upon notice to the Discharger.

l. The Discharger shall file with the Regional Board a Report of Waste Discharge at least 180 days before making any material change in the character, location, or volume of the discharge. A material change includes, but is not limited to, the following:

   i. Adding a major industrial waste discharge to a discharge of essentially domestic sewage, or adding a new process or product by an industrial facility resulting in a change in the character of the waste.

   ii. Significantly changing the disposal method or location, such as changing the disposal to another drainage area or water body.

   iii. Significantly changing the method of treatment.

   iv. Increasing the discharge flow beyond that specified in the Order.

m. A publicly owned treatment works (POTW) whose waste flow has been increasing, or is projected to increase, shall estimate when flows will reach hydraulic and treatment capacities of its treatment and disposal facilities. The projections shall be made in January, based on the last three years' average dry weather flows, peak wet weather flows and total annual flows, as appropriate. When any projection shows that capacity of any part of the facilities may be exceeded in four years, the Discharger shall notify the Regional Board by January 31. A copy of the notification shall be sent to appropriate local elected officials, local permitting agencies and the press. Within 120 days of the notification, the Discharger shall submit a technical report showing how it will prevent flow volumes from exceeding capacity or how it will increase capacity to handle the larger flows. The Regional Board may extend the time for submitting the report.

n. The Discharger shall submit technical reports as directed by the Executive Officer.

o. Chemical, bacteriological, and bioassay analyses shall be conducted at a laboratory certified for such analyses by the State Department of Health Services. In the event a certified laboratory is not available to the Discharger, analyses performed by a noncertified laboratory will be accepted provided a Quality Assurance-Quality Control Program is instituted by the laboratory. A manual containing the steps followed in this program must be kept in the laboratory and shall be available for inspection by Regional Board staff. The Quality Assurance-Quality Control Program must conform to USEPA guidelines or to procedures approved by the Regional Board.

   Unless otherwise specified, all metals shall be reported as Total Metals.

   Unless otherwise specified, all bioassays shall be performed in the following manner:

   i. Acute bioassays shall be performed in accordance with guidelines approved by the Regional Board and the Department of Fish and Game or in accordance with methods described in USEPA's manual for measuring acute toxicity of effluents (EPA-821-R-02-012 and subsequent amendments).

   ii. Short-term chronic bioassays shall be performed in accordance with USEPA guidelines (EPA-821-R-02-013 and subsequent amendments).

p. Laboratories that perform sample analyses must be identified in all monitoring reports submitted to the Regional Board and USEPA.).

q. The Discharger shall conduct analysis on any sample provided by USEPA as part of the Discharge Monitoring Quality Assurance (DMQA) program. The results of any such analysis shall be submitted to USEPA's DMQA manager.

r. Effluent samples shall be taken downstream of the last addition of wastes to the treatment or discharge works where a representative sample may be obtained prior to mixing with the receiving waters. Samples shall be collected at such a point and in such a manner to ensure a representative sample of the discharge.

s. All monitoring and analysis instruments and devices used by the Discharger to fulfill the prescribed monitoring program shall be properly maintained and calibrated as necessary, at least yearly, to ensure their continued accuracy.

t. The Discharger shall file with the Regional Board technical reports on self-monitoring performed according to the detailed specifications contained in the Monitoring and Reporting Program attached to this Order.

u. The results of all monitoring required by this Order shall be reported to the Regional Board, and shall be submitted in such a format as to allow direct comparison with the limitations and requirements of this Order. Unless otherwise specified, discharge flows shall be reported in terms of the monthly average and the daily maximum discharge flows.

v. Upon written request of the Regional Board, the Discharger shall submit a summary monitoring report to the Regional Board. The report shall contain both tabular and graphical summaries of the monitoring data obtained during the previous year(s).

w. The CWA provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this Order shall, upon conviction, be punished by a fine of not more than $10,000 per violation, or be imprisoned for not more than two years per violation, or by both.

B. Monitoring and Reporting Program Requirements

The Discharger shall comply with the Monitoring and Reporting Program, in Attachment E of this Order, and future revisions thereto.

C. Special Provisions

1. Re-opener Provisions

a. Upon adoption of any applicable water quality standard for receiving waters by the Regional Board or the State Board pursuant to the CWA and regulations adopted thereunder, this permit may be reopened and receiving water limitations added.

b. If chronic toxicity testing specified in Section VI.C.2.a indicates that the discharge causes, has the reasonable potential to cause, or contributes to an in-stream excursion above the water quality objective for toxicity, this Order shall be reopened and a chronic toxicity limitation included and/or a limitation for the specific toxicant identified in the TRE included. Additionally, if a chronic toxicity water quality objective is adopted by the State Board, this Order may be reopened and a limitation based on that objective included.

c. If after review of effluent monitoring results or the study results specified in Sections VI.C.2.b or VI.C.2.c, it is determined that the discharge has reasonable potential to cause or contribute to an exceedance of a water quality objective, this Order will be reopened and effluent limitations added for the subject constituents.

2. Special Studies, Technical Reports and Additional Monitoring Requirements

a. The Discharger shall conduct the chronic toxicity testing specified in the Monitoring and Reporting Program. If the testing indicates that the discharge causes, has the reasonable potential to cause, or contributes to an in-stream excursion above the water quality objective for toxicity, the Discharger shall initiate a Toxicity Identification Evaluation (TIE) to identify the causes of toxicity. Upon completion of the TIE, the Discharger shall submit a workplan to conduct a Toxicity Reduction Evaluation (TRE) and, after Regional Board evaluation, conduct the TRE.

b. On February 27, 2001 the Discharger was directed under section 13267 of the CWC to conduct a receiving water and effluent priority pollutant monitoring study in accordance with the requirements of section 1.2 of the SIP. The Discharger sampled the effluent for most priority pollutants, but has not sampled the receiving water. The Discharger shall comply with the following time schedule in conducting a study of these constituents potential effect in surface waters:

Task	Description	Due Date
a.	Submit Workplan and Time Schedule to sample the effluent once, at Monitoring Location M-002, and receiving water twice for pollutants listed in Attachment H of this Order	**By 21 November 2005**
b.	Begin Sampling	**Within 30 days of Executive Officer Approval of Task a**
c.	Complete Sampling	**Within 90 days of Executive Officer Approval of Task a**
d.	Submit Report	**Within 30 days of completion of Task c**

The Discharger shall perform the priority pollutant monitoring specified in the time schedule above in addition to the priority pollutant monitoring specified the Monitoring and Reporting Program (Attachment E, Section IX.A). The Discharger shall submit to the Regional Board on or before each compliance due date, the specified document or a written report detailing compliance or noncompliance with the specific date and task. If noncompliance is reported, the Discharger shall state the reasons for noncompliance and include an estimate of the date when the Discharger will be in compliance. The Discharger shall notify the Regional Board by letter when it returns to compliance with the time schedule.

c. On February 27, 2001 the Discharger was directed under section 13267 of the CWC to conduct an effluent dioxin monitoring study in accordance with the requirements of section 1.2 of the SIP. The Discharger has not conducted the required dioxin monitoring. The Discharger shall comply with the following time schedule in conducting a study of these constituents potential effect in surface waters:

Task	Description	Due Date
a.	Submit Workplan and Time Schedule to sample the effluent, at Monitoring Location M-002, for the presence of the 17 dioxin congeners (listed in Section 3, Table 4 of the SIP) once during dry weather and once during wet weather	**By 21 November 2005**
b.	Begin Sampling	**Within 30 days of Executive Officer Approval of Task a**

c.	Complete Sampling	**Within 90 days of Executive Officer Approval of Task a**
d.	Submit Sampling Report	**Within 30 days of completion of Task c**

The Discharger shall submit to the Regional Board on or before each compliance due date, the specified document or a written report detailing compliance or noncompliance with the specific date and task. If noncompliance is reported, the Discharger shall state the reasons for noncompliance and include an estimate of the date when the Discharger will be in compliance. The Discharger shall notify the Regional Board by letter when it returns to compliance with the time schedule.

3. Best Management Practices and Pollution Prevention – Not Applicable

4. Compliance Schedules

Section IV.C.3 of the attached Fact Sheet (Attachment F) indicates that copper concentrations in the discharge have a reasonable potential to cause or contribute to an in stream excursion above water quality objectives. The Discharger shall comply with the following:

Task	**Description**	**Due Date**
a.	Submit a technical report containing a compliance schedule justification sufficient to satisfy SIP Section 2.1, paragraph 3. The report shall include: (1) documentation that diligent efforts have been made to quantify pollutant levels in the discharge and the sources of the pollutant in the waste stream; (2) documentation of source control measures and/or pollution minimization measures efforts currently underway or completed; (3) a proposal, including an implementation schedule, for additional or future source control measures, pollutant minimization actions, or waste treatment (i.e. facility upgrades or operational modifications); and (4) a demonstration that the proposed schedule is short as possible.	**By 20 December 2005**
b.	If approved, begin implementation of the items identified in Task a, above. If rejected, comply immediately with Final Effluent Limitations IV.A.1.a.	**Within 30 days of approval or rejection of the technical report by the Executive Officer.**
c.	Submit Quarterly Progress Reports	**1st day of the second month following the close of each calendar quarter.**
d.	Comply fully with Final Effluent Limitations IV.A.1.a.	**By the deadline approved by the Executive Officer but no later than 20 October 2010**

5. Construction, Operation and Maintenance Specifications

a. WWTF

i. The treatment and disposal facilities shall be designed, constructed, operated, and maintained to prevent inundation or washout due to floods with a 100-year return frequency.

ii. The Discharger shall maximize, consistent with Construction, Operation and Maintenance Specification VI.C.5.b.xiii, reclamation of wastewater so that discharges to the river occur only when irrigation of the golf course is not necessary (snow or saturated soil conditions) and storage capacity has been reached.

iii. All wastewater discharged shall be oxidized, coagulated, filtered, and disinfected, or equivalent treatment provided.

iv. The chlorine disinfection process following filtration shall provide a CT (the product of total chlorine residual and modal contact time measured at the same point) value of not less than 450 milligram-minutes per liter at all times with a modal contact time of at least 90 minutes, based on peak dry weather design flow.

b. Reclamation Site – Wawona Golf Course

i. Use of reclaimed water shall be limited to the Wawona Golf Course (hereafter designated reclamation area).

ii. Reclaimed water used for irrigation shall be managed to prevent breeding of mosquitoes.

iii. No irrigation with reclaimed water shall take place within 50 feet of any domestic water supply well.

iv. No impoundment of reclaimed water shall occur within 100 feet of any domestic water supply well.

v. Any irrigation runoff shall be confined to the reclaimed water use area.

vi. Spray, mist, or runoff shall not enter dwellings, designated outdoor eating areas, or food handling facilities.

vii. Drinking water fountains shall be protected against contact with recycled water spray, mist, or runoff.

viii. All use areas where reclaimed water is used that are accessible to the public shall be posted with signs that are visible to the public, in a size no less than 4 inches high by 8 inches wide, that include the following wording: “RECLAIMED WATER - DO NOT DRINK”. Each sign shall display an international symbol similar to that shown in Attachment G.

ix. Except as allowed under Section 7604 of Title 17, California Code of Regulations, no physical connection shall be made or allowed to exist between any reclaimed water system and any separate system conveying potable water.

x. The portions of the reclaimed water piping system that are in areas subject to access by the general public shall not include any hose bibbs. Only quick couplers that differ from those used on the potable water system shall be used on the portions of the reclaimed water piping system in areas subject to public access.

xi. Irrigation of the designated reclamation area shall occur between 9:00 pm and 6:00 am, as weather permits. Hand watering of the golf course, with a hose, using reclaimed water in conjunction with typical irrigation and irrigation system testing activities may be permitted during the day, provided that applications are supervised by appropriate golf course personnel and all golfers, pedestrians, and other members of the general public are precluded from entering irrigated areas until all applied reclaimed water has infiltrated the soil. Hand watering does not include watering of golf course areas by manually operating the irrigation system - watering using such practices is prohibited.

xii. Workers shall be informed of the potential health hazards involved with contact or ingestion of reclaimed water, and shall be educated regarding proper hygienic procedures to ensure personal and public safety.

xiii. Application of reclaimed water to the reclamation area shall not exceed what is reasonably necessary for the grass, soil, climate, and management system (i.e., generally accepted agronomic rates).

xiv. Reclaimed water controllers, valves, etc., shall be affixed with reclaimed water warning signs, and the quick couplers and sprinkler heads shall be of a type, or secured in a manner that permits operation by authorized personnel only.

6. Special Provisions for Municipal Facilities

a. The Discharger shall prepare and implement a Sanitary Sewer System Operation, Maintenance, Overflow Prevention, and Response Plan within **1 year of the effective date of this Order.**

b. Sludge Requirements:

Sludge in this document means the solid, semisolid, and liquid residues removed during primary, secondary, or advanced wastewater treatment processes. Solid waste refers to grit and screening material generated during preliminary treatment. Residual sludge means sludge that will not be subject to further treatment at the WWTF. Biosolids refers to sludge that has been treated and tested and shown to be capable of being beneficially and legally used pursuant to federal and state regulations as a soil amendment for agriculture, horticulture, and land reclamation activities.

i. Sludge and solid waste shall be removed from screens, sumps, ponds, clarifiers, etc. as needed to ensure optimal plant operation.

ii. Treatment and storage of sludge generated by the WWTF shall be confined to the WWTF property and conducted in a manner that precludes infiltration of waste constituents into soils in a mass or concentration that will violate groundwater limitations.

iii. Any storage of residual sludge, solid waste, and biosolids on property of the WWTF shall be temporary and controlled and contained in a manner that minimizes leachate formation and precludes infiltration of waste constituents into soils in a mass or concentration that will violate groundwater limitations.

iv. Residual sludge, biosolids, and solid waste shall be disposed of in a manner approved by the Executive Officer and consistent with Title 27. Removal for further treatment, disposal, or reuse at sites (i.e., landfill, WWTF, composting sites, soil amendment sites) operated in accordance with valid waste discharge requirements issued by a regional water quality control board will satisfy this specification.

v. Use and disposal of biosolids should comply with the self-implementing federal regulations of 40 CFR 503, which are subject to enforcement by the USEPA, not the Regional Board. If

during the life of this Order the State accepts primacy for implementation of 40 CFR 503, the Regional Board may also initiate enforcement where appropriate.

c. Pretreatment Program

i. The Discharger shall implement, as more completely set forth in 40 CFR 403.5, the necessary legal authorities, programs, and controls to ensure that the following incompatible wastes are not introduced to the treatment system, where incompatible wastes are:

a. Wastes which create a fire or explosion hazard in the treatment works;
b. Wastes which will cause corrosive structural damage to treatment works, but in no case wastes with a pH lower than 5, unless the works is specially designed to accommodate such wastes.
c. Solid or viscous wastes in amounts which cause obstruction to flow in sewers, or which cause other interference with proper operation or treatment works;
d. Any waste, including oxygen demanding pollutants (BOD, etc.), released in such volume or strength as to cause inhibition or disruption in the treatment works, and subsequent treatment process upset and loss of treatment efficiency;
e. Heat in amounts that inhibit or disrupt biological activity in the treatment works, or that raise influent temperatures above 40 °C (104 °F), unless the treatment works is designed to accommodate such heat;
f. Petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass through;
g. Pollutants which result in the presence of toxic gases, vapors, or fumes within the treatment works in a quantity that may cause acute worker health and safety problems; and
h. Any trucked or hauled pollutants, except at points pre-designated by the Discharger.

ii. The Discharger shall implement, as more completely set forth in 40 CFR 403.5, the necessary legal authorities, programs, and controls to ensure that indirect discharges do not introduce pollutants into the sewerage system that, either alone or in conjunction with a discharge or discharges from other sources:

a. Flow through the system to the receiving water in quantities or concentrations that cause a violation of this Order, or
b. Inhibit or disrupt treatment processes, treatment system operations, or sludge processes, use, or disposal and either cause a violation of this Order or prevent sludge use or disposal in accordance with this Order.

7. Other Special Provisions

a. The Discharger shall not allow pollutant-free wastewater to be discharged into the collection, treatment, and disposal system in amounts that significantly diminish the system's capability to comply with this Order. Pollutant-free wastewater means rainfall, groundwater, cooling waters, and condensates that are essentially free of pollutants.

b. Prior to making any change in the discharge point, place of use, or purpose of use of the wastewater, the Discharger shall obtain approval of, or clearance from the State Water Resources Control Board (Division of Water Rights).

c. In the event of any change in control or ownership of land or waste discharge facilities presently owned or controlled by the Discharger, the Discharger shall notify the succeeding owner or operator of the existence of this Order by letter, a copy of which shall be immediately forwarded to this office.

To assume operation under this Order, the succeeding owner or operator must apply in writing to the Executive Officer requesting transfer of the Order. The request must contain the requesting entity's full legal name, the State of incorporation if a corporation, address and telephone number of the persons responsible for contact with the Regional Board and a statement. The statement shall comply with the signatory paragraph of Standard Provision E.2, Attachment D, and state that the new owner or operator assumes full responsibility for compliance with this Order. Failure to submit the request shall be considered a discharge without requirements, a violation of the California Water Code. Transfer shall be approved or disapproved in writing by the Executive Officer.

d. All technical reports required herein that involve planning, investigation, evaluation, or design, or other work requiring interpretation and proper application of engineering or geologic sciences, shall be prepared by or under the direction of persons registered to practice in California pursuant to California Business and Professions Code, Sections 6735, 7835, and 7835.1. To demonstrate compliance with Title 16, CCR, Sections 415 and 3065, all technical reports must contain a statement of the qualifications of the responsible registered professional(s). As required by these laws, completed technical reports must bear the signature(s) and seal(s) of the registered professional(s) in a manner such that all work can be clearly attributed to the professional responsible for the work.

VII. COMPLIANCE DETERMINATION

Compliance with the effluent limitations contained in Section IV of this Order will be determined as specified below:

A. Average Monthly Effluent Limitation (AMEL). If the average of daily discharges over a calendar month exceeds the AMEL for a given parameter, an alleged violation will be flagged and the discharger will be considered out of compliance for each day of that month for that parameter (e.g., resulting in 31 days of non-compliance in a 31-day month). The average of daily discharges over the calendar month that exceeds the AMEL for a parameter will be considered out of compliance for that month only. If only a single sample is taken during the calendar month and the analytical result for that sample exceeds the AMEL, the discharger will be considered out of compliance for that calendar month. For any one calendar month during which no sample (daily discharge) is taken, no compliance determination can be made for that calendar month.

B. Average Weekly Effluent Limitation (AWEL). If the average of daily discharges over a calendar week exceeds the AWEL for a given parameter, an alleged violation will be flagged and the discharger will be considered out of compliance for each day of that week for that parameter, resulting in 7 days of non-compliance. The average of daily discharges over the calendar week that exceeds the AWEL for a parameter will be considered out of compliance for that week only. If only a single sample is taken during the calendar week and the analytical result for that sample exceeds the AWEL, the discharger will be considered out of compliance for that calendar week. For any one calendar week during which no sample (daily discharge) is taken, no compliance determination can be made for that calendar week.

C. Maximum Daily Effluent Limitation (MDEL). If a daily discharge exceeds the MDEL for a given parameter, an alleged violation will be flagged and the discharger will be considered out of compliance for that parameter for that 1 day only within the reporting period. For any 1 day during which no sample is taken, no compliance determination can be made for that day.

D. Instantaneous Minimum Effluent Limitation. If the analytical result of a single grab sample is lower than the instantaneous minimum effluent limitation for a parameter, a violation will be flagged and the discharger will be considered out of compliance for that parameter for that single sample. Non-compliance for each sample will be considered separately (e.g., the results of two grab samples taken

within a calendar day that both are lower than the instantaneous minimum effluent limitation would result in two instances of non-compliance with the instantaneous minimum effluent limitation).

E. Instantaneous Maximum Effluent Limitation. If the analytical result of a single grab sample is higher than the instantaneous maximum effluent limitation for a parameter, a violation will be flagged and the discharger will be considered out of compliance for that parameter for that single sample. Non-compliance for each sample will be considered separately (e.g., the results of two grab samples taken within a calendar day that both exceed the instantaneous maximum effluent limitation would result in two instances of non-compliance with the instantaneous maximum effluent limitation).

F. Coliform Effluent Limitations. If the median value, calculated using the results from samples collected within the previous seven days is greater than the maximum seven day median for coliform (MPN of 2.2 per 100 mL), a violation will be flagged and the discharger will be considered out of compliance. If more than one single sample measurement within a 30-day period is greater than an MPN of 23 per 100 mL, a violation will be flagged for each additional exceedance and the discharger will be considered out of compliance. If any sample measurement is greater than an MPN of 240 per 100 mL, a violation will be flagged and the discharger will be considered out of compliance.

G. 4-day Average Effluent Limitation. If the average of daily discharges over the past 4-days exceeds the 4-day average effluent limitation for a given parameter, an alleged violation will be flagged and the discharger will be considered out of compliance for each of the 4-days for that parameter, resulting in 4 days of non-compliance. If only a single sample is taken during a 4-day period and the analytical result for that sample exceeds the 4-day average effluent limitation, the discharger will be considered out of compliance for the 4-day period.

H. Water Quality-Based Effluent Limitations.

In accordance with Section 2.4.5 of the SIP, compliance with water quality-based effluent limitations shall be determined as follows:

1. Dischargers shall be deemed out of compliance with an effluent limitation if the concentration of the priority pollutant in the monitoring sample is greater than the effluent limitation and greater than or equal to the reported Minimum Level (ML).

2. When determining compliance with an average monthly effluent limitation and more than one sample result is available in a month, the Discharger shall compute the arithmetic mean unless the data set contains one or more reported determinations of DNQ or ND. In those cases, the Discharger shall compute the median in place of the arithmetic mean in accordance with the following procedure:

   a. The data set shall be ranked from low to high, reported ND determinations lowest, DNQ determinations next, followed by quantified values (if any). The order of the individual ND or DNQ determinations is unimportant.

   b. The median value of the data set shall be determined. If the data set has an odd number of data points, then the median is the middle value. If the data set has an even number of data points, then the median is the average of the two values around the middle unless one or both of the points are ND or DNQ, in which case the median value shall be the lower of the two data points where DNQ is lower than a value and ND is lower than DNQ.

   c. If a sample result, or the arithmetic mean or median of multiple sample results, is below the reported ML, and there is evidence that the priority pollutant is present in the effluent above an effluent limitation and the Discharger conducts a pollutant minimization plan (PMP), the Discharger shall not be deemed out of compliance.